

Fiscal Year 2006 (Calendar 2005-2006)

Annual Action Plan

Community Development Block Grant Program

City of Winchester



## Table of Contents

Introduction	5
Community Description	6
Community Development Needs	6
Plan Development Process	7
Citizen Participation	7
Standard Form 424	9
Action Plan 2005: Projected Resources	11
Strategic Plan Implementation	15
Geographic Distribution	16
Homeless and Other Special Needs	16
Emergency Shelter	17
Transitional Housing	17
Homeless Prevention	17
Special Needs	17
Other Actions	18
Removing Obstacles to meeting underserved needs	18
Fostering and Maintaining Affordable Housing	18
Removing Barriers to Affordable Housing	18
Evaluating and Reducing Lead Based Paint Hazards	19
Reducing the number of Poverty Level Families	19
Developing Institutional Structure	19
Monitoring Standards and Procedures	19
Fair Housing	20
Certifications	21
Appendix	26
Description of Current Programs	26
Maps	28
Glossary	31



## **Introduction**

Consolidated Plans and annual Action Plans are required from all jurisdictions receiving annual entitlements from the U.S. Department of Housing and Urban Development (HUD). The City of Winchester completed a Consolidated Plan in 2004 which covers the Community Development Block Grant Program.

The Consolidated Plan spans a five (5) year period from 2004-2008 Annual “Action Plans” are prepared as part of that requirement. This plan, “2005 Annual Action Plan”, details the proposed priority programs and related budget for the fiscal year 2006. This report will be submitted to the U.S. Department of Housing and Urban Development (HUD) in May of 2005. The 2005 Annual Action Plan covers the same program area as the Consolidated Plan.

Examples of programs include single family rehabilitation, multi-family rehabilitation, emergency home repair, neighborhood beautification projects, and homeownership programs. A full list of programs and descriptions is located in the appendix.

HUD’s three statutory goals follow:

1. Provide decent housing;
2. Provide a suitable living environment; and
3. Expand economic opportunities.

The Department for Economic Redevelopment administers and oversees all projects related to the Community Development Block Grant Program. The Department works with other departments and local community organizations to reach the goals described in the Consolidated and Action Plans.

The Community Development Block Grant Advisory Team was established in 2004 as an advisory group to staff administering the CDBG Program. The Advisory Team provides input, assists staff in outreach to the community and makes final recommendations of program funding to City Council for approval of Consolidated and Action Plans as well and sub-recipient approval.

### Community Description

Winchester, founded in 1744, is the oldest Virginia City west of the Blue Ridge Mountains. Located at the northern entrance of the Shenandoah Valley, the City encompasses 9.3 sq. miles and is the medical, industrial, commercial and agricultural center for the surrounding areas. The City has a population of approximately 25000 with 6,600 single family homes and over 3,500 multi-family dwellings.

Winchester is a community with a rich heritage and a dynamic future. It is the home of General Stonewall Jackson's Headquarters, occupied by General Jackson during the winter of 1861-62; George Washington's Office where he spent much of his time in Winchester from 1748 till 1758; and the home of the country singing legend Patsy Cline. The area is replete with historical sites and visitor attractions.

### Community Development Needs

The eligibility threshold for community development programs, as defined by HUD, is persons and families whose household income is 80% of the area median income or below. Within this category are several sub-categories. Very low-income families, for example, are those whose income is between 0 and 30% of the area median income. Low-income families are defined as those whose income is between 30 and 50% of the area median income. Qualifying moderate-income families have incomes between 50 and 80% of area median income.

Detailed income and poverty data is available from the 2000 Census. According to the 2000 Census, there were 10,321 households in Winchester at the time of the count. Using HUD criteria, 2,567 households were considered low-income, with incomes at 50% of the area median income or below. Another 2,158 households were determined to be moderate-income, with incomes between 50 and 80% of area median income. The total number of households in Winchester that could be classified as low- and moderate-income was 4,725 or 47.4% of the City's households.

### Plan Development Process

A summary of the 2005 Annual Action Plan was provided to the public via a newspaper advertisement that was published on March 26, 2005 as well as posted on the City's website at [www.ci.winchester.va.us/econ/](http://www.ci.winchester.va.us/econ/) under the tab Redevelopment Programs. The draft plan was made available upon request by any citizen or organization interested in the contents for a 30-day public comment period during the month of April.

To ensure the public could participate in this review process, copies of the Plan were also made available at each of the public meetings held for input and comment on the Plan. Copies were also made available at the Handley Regional Library. The public comment period officially ended on May 10, 2005. At that time, Council approved a resolution to submit the final Plan to HUD.

### Citizen Participation

The City of Winchester's Citizen Participation Plan provides guidance to staff in soliciting input from residents citywide about issues they face in and around their neighborhoods. Adopted in 2004, and amended in 2005, the Plan outlines specific methods through which staff can increase the level of participation in the consolidated planning process. The amended plan is included in the HUD submission.

Staff began soliciting information for the 2005 program year in fall, 2004 with a series of four public input meetings. The purpose of the meetings was to receive comments on the 2004 program year, as well as input for use of funds in the 2005 program year.

Meetings were held on October 28<sup>th</sup>, November 1<sup>st</sup>, 3<sup>rd</sup> and 4<sup>th</sup> at neighborhood locations. Staff generally requests time in the monthly program of the two active Citizens' Associations for two meetings, and holds two general neighborhood meetings to collect input.

Each meeting begins with a brief introduction of the Entitlement Program, including funding information, eligible activities, and a report of prior CDBG projects. Attendees are then welcome to discuss their ideas for usage of funds and needs in the City through a facilitated process. The discussions focused on several key issues: housing conditions, housing affordability, condition of public infrastructure in some neighborhoods-

sidewalks and street lighting, crime, the effects of the City's Rental Housing Inspection Ordinance, the homeless population and services and facilities for youth and elderly in the community.

Citizen comments regarding the City's Community Development activities are always welcome, but were officially requested regarding the 2005 Annual Action Plan April 1-30. Staff provided five public forums during this time for citizens to express their comments- two Citizen Association Meetings, two public input meetings and one City Council public hearing. On May 10, 2005 the Finance Committee recommended to City Council the approval of the 2005 Annual Action Plan. After a public hearing, discussion and vote, Council approved the 2005 Annual Action Plan and directed staff to forward this plan to the Department of Housing and Community Development for review and approval.

The City of Winchester- staff as well as councilors- has gained valuable information from the public regarding housing issues in the city through a variety of methods not specifically related to the Community Development Block Grant Program. In January, 2005 Council directed a subcommittee on housing to study the tools available to localities to address housing affordability and conditions. This committee continues to meet and is expected to give a recommendation to City Council in June, 2005 regarding a public referendum for and formation of a Redevelopment and Housing Authority in the City of Winchester.

In addition, the Health, Education and Welfare Committee of City Council held several public meetings to hear comments regarding the evolution of a Rental Housing Inspection Ordinance.

Council has become increasingly interested in the support of neighborhood empowerment programs, and has directed staff to explore and develop programs that will increase communication between staff and residents regarding community issues. Immediate results of this initiative include the increase of police patrol in high-incident areas as well as a direct request from the North End Citizens Association to Council to assist citizens in developing a new Neighborhood Watch program.

### **Standard Form 424**

Standard Form 424 (on the reverse of this page) is the official application by the City of Winchester to the U.S. Department of Housing and Urban Development for its Community Development Block Grant annual entitlement.

# APPLICATION FOR FEDERAL ASSISTANCE

Version 7/03

<b>1. TYPE OF SUBMISSION:</b> Application <input checked="" type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		Pre-application <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	<b>2. DATE SUBMITTED</b> 5-15-05	Applicant Identifier B04MC510031	
			<b>3. DATE RECEIVED BY STATE</b>	State Application Identifier	
			<b>4. DATE RECEIVED BY FEDERAL AGENCY</b>	Federal Identifier	
<b>5. APPLICANT INFORMATION</b>					
Legal Name: City of Winchester			Organizational Unit: Department: Economic Development Department		
Organizational DUNS: 143632565			Division:		
Address: Street: 15 North Cameron Street			Name and telephone number of person to be contacted on matters involving this application (give area code)		
City: Winchester			Prefix:	First Name: Martha	
County:			Middle Name		
State: Virginia			Last Name Shickle		
Zip Code 22601			Suffix:		
Country: USA			Email: mshickle@ci.winchester.va.us		
<b>6. EMPLOYER IDENTIFICATION NUMBER (EIN):</b> 54-6001683			Phone Number (give area code) 540-722-7575		Fax Number (give area code) 540-722-7570
<b>8. TYPE OF APPLICATION:</b> <input type="checkbox"/> New <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) Other (specify)			<b>7. TYPE OF APPLICANT:</b> (See back of form for Application Types) Municipal Other (specify)		
<b>10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:</b> TITLE (Name of Program):			<b>9. NAME OF FEDERAL AGENCY:</b> US Department of Housing and Urban Development		
<b>12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):</b> City of Winchester			<b>11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:</b> CDBG Funding		
<b>13. PROPOSED PROJECT</b> Start Date: 07-01-05			<b>14. CONGRESSIONAL DISTRICTS OF:</b> a. Applicant b. Project		
Ending Date: 06-30-06					
<b>15. ESTIMATED FUNDING:</b>			<b>16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?</b>		
a. Federal	\$	289,486	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON		
b. Applicant	\$		DATE:		
c. State	\$		b. No. <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372		
d. Local	\$		<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW		
e. Other	\$		<b>17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?</b>		
f. Program Income	\$		<input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No		
g. TOTAL	\$	289,486			
<b>18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.</b>					
<b>a. Authorized Representative</b>					
Prefix		First Name Edwin		Middle Name C	
Last Name Daley				Suffix	
b. Title City Manager, City of Winchester				c. Telephone Number (give area code) 540-667-1815	
d. Signature of Authorized Representative				e. Date Signed	

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Reset Form

## **Action Plan 2005: Projected Resources**

### **A. General**

Housing and community development programs are designed to help citizens achieve decent housing, expanded opportunities and a suitable living environment. Funds go toward the development and preservation of affordable housing, improvements for the safety and livability of neighborhoods, and programs that revitalize deteriorated neighborhoods.

Programs promote community partnerships and collaborative efforts that underscore the vibrant community in which we live. The programs bring together funders, service providers, consumers, and neighborhood and community members to develop solutions to address needs. The City celebrates diversity- racial, cultural and individual differences- as we provide equal opportunity and fair access to services.

Total resources expected to be available for 2005 to meet Community Development Block Grant Program priorities are \$599,486. This includes approximately \$310,000 of program income collected through the state administered Small Cities CDBG program and \$250,000 of public investment dedicated to the increase of affordable homeownership in the City of Winchester. The balance, \$289,486 are CDBG Entitlement funds for the 2005 program year. Administration activities amount to \$119,897; \$57,897 of which are used by the Department for Economic Redevelopment for administration of the CDBG Program.

### **B. Resources and Allocations Table: CDBG Entitlement Funds**

<b>Project Type Allocation</b>	<b>Amount of Funding</b>
Administration	\$57,897
Housing Repair	\$40,528
New, (re)Construction, Rehabilitation, other activities for Homeownership	\$162,112
Infrastructure	\$28,948

### C. Proposed Projects

The Annual Action Plan serves as the City's request for proposals from organizations interested in attaining Community Development Block Grant funds for execution of projects consistent with the goals established by the community and articulated in the Consolidated Plan. The City expects requests from at least three community organizations focusing on housing, and welcomes any others.

At this time, the City has not committed any funds to projects for the 2005 Program Year. Proposals to the City may be made to the Department of Economic Redevelopment and will be reviewed by the Community Development Block Grant Advisory Team. Staff will make recommendations to the Advisory Team based on review of the funding application (available at [www.ci.winchester.va.us/econ/](http://www.ci.winchester.va.us/econ/) under the "Redevelopment Programs" tab).

Part of the application process includes certification of compliance with all regulations under the Federal, state and local guidelines for Community Development Block Grant Programs. This includes the completion and maintenance of an Environmental Review Record including required assessments as necessary for each proposed undertaking. The City will not approve funding for an activity that does not meet the requirements of the CDBG program guidelines.

### D. Federal and non-federal resources

#### *General Resources*

The City of Winchester- primarily through the office of the City's Grants Coordinator- will continue to look to other sources of funding to accomplish priority projects identified in the Consolidated Plan. Collaborative efforts help city programs by providing gap funding and joint problem solving. In addition to the federal resources identified in this plan to meet the needs in 2005, the City will utilize other funding opportunities as they arise.

The City's proposed 2006 General Fund budget is \$54,200,000. The City's budget includes funding for programs and projects that are complementary to community development programs such as social services, parks and recreation and public facilities.

A one-time commitment of \$5,000,000 to be used over the next five years has been made available through bond financing for housing related programs aimed at improving housing stock within the City and increasing opportunity for affordable homeownership.

The City's Capital Improvements Program (CIP) fund is \$4,900,000 for FY 2005 and \$2,660,000 is proposed for FY 2006. Nearly all is utilized for infrastructure improvements- including streets, curbing and gutters, access ramps, wastewater facilities, parks, public and service facilities and reparations to existing city property.

#### *Human Services Resources*

The total Department of Social Services portion of the proposed 2006 budget is \$3,688,000. Funding covers administrative services, TANF, Disabled Programs, Children's Services, Local Community Services, Developmentally disabled, and others.

#### *Recreation Resources*

The Parks and Recreation Department administers a number of recreation programs funded by a budget of \$1,857,000. Recreation programs available to the citizens of Winchester include Instructional Classes and Workshops, Fitness Classes, Child and Adult Dance Classes, Children's Workshops, Senior Activities, Before and After School Programs, Aquatics, Special Events and Sports.

#### *Education Resources*

The City continues to make education a priority. With resources from the 2006 City Budget, the City Council will continue to build a strong partnership with the Winchester Public Schools to see that children receive a quality education. The City will provide \$36,997,737 for general operation and programming. The Winchester Police Department also provides resource officers in each of the six public schools.



## **Strategic Plan Implementation**

As outlined in the City of Winchester's 2004-2008 Consolidated Plan, the City proposes to continue its focused efforts on improving housing and living conditions in the city, while increasing the number of affordable housing by instituting and continuing:

- Housing repair program
- Housing rehabilitation activities
- New construction, reconstruction and rehabilitation of affordable housing for homeownership
- Infrastructure improvements associated with above activities that will impact the overall living conditions of neighborhoods (streetlights, sidewalk repair, landscaping, streetscaping, water and sewer connection for new construction of affordable housing, etc.)

The City identified the North End Target Area for focused funding for implementation of programs and will continue to address issues in that neighborhood. Some programs will be limited to the Target Area, such as new construction, reconstruction and major rehabilitation for homeownership, while others, such as the Housing Repair Program and infrastructure improvements may be applicable city-wide.

The City will also continue to meet the goals established in the Consolidated Plan financed through administrative funding:

- Develop a plan to fund, execute, and carry out the recommendations of the required Analysis of Impediments to Fair Housing.
- Work with Citizen Associations to increase membership by ten percent (10%).
- Provide assistance to residents in the Target Area to develop and maintain neighborhood programs including Neighborhood Watch and Neighborhood Enhancement.
- Conduct an Analysis of Barriers to Affordable Housing.
- Encourage local human service organizations to work together to serve the needs of the community by facilitating partnerships and completing a database of records for all human service organizations serving residents of Winchester.
- Develop an Anti-Poverty Strategy.
- Conduct a Lead Hazards Analysis.

- Provide technical assistance to local community organizations, non-profits and individuals interested in housing and community programs.

CDBG staff will coordinate with other members of City departments and other local organizations to complete the above activities. The activities, though ongoing tasks will be reported upon annually, along with other funded activities.

### **Geographic Distribution**

The City is targeting resources in neighborhoods in need of revitalization. The following map illustrates the North End Target Area- the area defined by council as a priority neighborhood in allocating community development funds.

The City continues to conduct assessments of the condition of and trends in the City to determine what strategies are needed to address specific neighborhood and city issues. The identified target area will not be concentrated on to the exclusion or neglect of other neighborhoods. However, a strong plan of collaboration will occur within target areas that require a variety of services and programs- private and public to achieve success in stabilization and revitalization. The overriding objective of administration of the Community Development Block Grant Program is to address the needs of low- and moderate- income persons and neighborhoods in the City.

### **Homeless and Other Special Needs**

A comprehensive system is necessary to effectively address homeless needs and includes several components: Homeless individuals and Families must have an alternative to being without shelter. Those in a shelter must have the means to transition from shelter to permanent housing. Affordable housing must be available to those transitioning to self-sufficiency. Finally, homelessness should be effectively prevented. These interrelated components constitute the region's Continuum of Care (CoC).

Recipient and administrator of the Shelter Plus Care and Supportive Housing Program Grants, Northwestern Community Services (NWCS) has developed and submitted to HUD a Homeless Continuum of Care Plan. The CoC Plan was developed by the Homeless Advisory Network (HAN)- an open group of human services representatives

who serve the homeless population. The HAN meets monthly to discuss current issues and ways to address them through the CoC. The following exist as part of the CoC:

### *Emergency Shelter*

Emergency services to homeless in the region include the Salvation Army, the Shelter for Abused Women, CCAP, the Union Rescue Mission and various church affiliated food pantries. Shelters find that accommodations for families are increasingly difficult to provide. The Salvation Army and Shelter for Abused Women have been used for transitional housing occasionally and require adherence to shelter rules. As a consequence, persons who cannot meet the shelter's entry requirements (alcohol and drug free, etc) no longer have an alternative to being on the street.

### *Transitional Housing*

A careful analysis of homeless needs in the Region reveals that transitional housing remains a critical need. The Shelter for Abused Women, and Salvation Army, both emergency shelter facilities at times also provide transitional housing despite their facilities true inability to provide these services. Additional facilities in neighboring jurisdictions are needed, since this problem is a regional one, but no housing of this sort has been built. The 2005 Action Plan has no provision for additional transitional housing.

### *Homeless Prevention*

Preventing homelessness is invariably more cost effective than providing homeless facilities and services. The City will work with the Homeless Advisory Network to strengthen this part of the Continuum of Care, as well as work within its capabilities to support programs and activities that provide affordable housing in the city.

### *Special Needs*

There are several categories of citizens who are not homeless, but who have special needs. These categories include elderly and frail elderly persons, persons with disabilities, persons with alcohol and other drug addiction, and persons with HIV/AIDS and their families.

Northwestern Community Services does provide limited assistance to clients with special needs in meeting monthly living expenses. In addition, income eligible households can

apply to participate in the Section 8 Housing Voucher Program administered for Winchester City, Clarke and Frederick Counties by Winchester Department of Social Services. Also, AIDS Response Effort is a recipient of HOPWA funds which is used to assist households with members who have HIV and/or AIDS. Homeless persons who may be mentally ill are still of great concern in the community.

### **Other Actions**

#### Removing Obstacles to Meeting Underserved Needs

A community development program must be continuously evaluated to ensure needs are being effectively met. A part of this analysis includes identification of obstacles to meeting underserved needs, as was done during the development of the 2004 Consolidated Plan. The City of Winchester will pursue the following to remove identified obstacles:

- Encourage the reuse of vacant properties.
- Ensure individual dwellings are safe and sanitary, through a variety of programs including the Rental Housing Inspection Ordinance, and Emergency Home Repair Program.
- Encourage homeownership through the support of existing and development of new homeownership programs.
- Work to identify persons in need of shelter and services by improving the method for counting individuals accessing services.

#### Fostering and Maintaining Affordable Housing

Affordable housing is a basic component for overcoming homelessness as well as for maintaining a vibrant and diverse community of neighborhoods. The City of Winchester seeks to increase the level of affordable homeownership opportunities as well as general condition of all housing stock.

#### Removing Barriers to Affordable Housing

During the next year, the City plans to pursue the following objectives to reduce barriers:

- Continue to improve neighborhood conditions
- Promote conventional mortgage lending
- Promote the rehabilitation and reuse of vacant structures.

### Evaluating and Reducing Lead Based Paint Hazards

Federal regulations require that lead hazard evaluation and reduction be carried out according to specific guidelines and criteria. At this time, few incidences of elevated blood lead levels have been reported. At the beginning of the 2004-2005 school year, all entering kindergarten students are required to include in entry health screenings a blood lead test. The results of those screening have not yet been published.

The City will work with the Health Department to identify households that may be in danger of lead exposure. In addition, the City has incorporated into all rehabilitation programs the Federal directive regarding Lead Based Paint Hazards.

### Reducing the Number of Poverty Level Families

The City's community development programs reduce the number of poverty level families in addition to the various types of direct assistance offered. Assisting a family to meet specific housing needs allows a low-income family to address other needs.

Programs include the Home Repair Program, Section 8 Housing Voucher Program, and existing local tax relief programs for elderly residents. All of these programs will continue to be implemented during the coming year. There is no use of CDBG funds to actually increase income. The benefit is indirect- through the provision of assistance related to large, one-time projects.

### Developing Institutional Structure

City Staff works with service providers and advocates to develop partnerships in serving underserved and needy populations. Current efforts include strengthening the existing Continuum of Care, and facilitation of networking among service providers and community organizations to collectively meet their goals. The City will continue to work toward enhanced coordination among public and private agencies.

## **Monitoring Standards and Procedures**

The City of Winchester's Department for Economic Redevelopment will be responsible for all monitoring and planning of CDBG funded programs and sub-recipients as stated in HUD regulations.

The Department for Economic Redevelopment assumes responsibility for developing program guidelines, procedures and agreements with sub-recipients with the assistance of other departments as needed (i.e. City Attorney, Planning Department, Inspections Department, City Manager's Office). CDBG program fund recipients will be required to enter into an agreement with the City stating terms of the funding. Terms include timely completion of agreed upon outcomes, demonstration of measurable benefit to the appropriate National Objective, submission of regular reports, and certification of compliance with all local, state and Federal policies including Fair Housing, Procurement, Labor and Environmental Standards.

The City's CDBG funds will be formally audited in conjunction with the Finance Department's bi-annual audit. No separate audit of CDBG funds will be performed. The City reserves the right to terminate agreements with sub-recipients found to be non-compliant with program guidelines and/or reluctant to take corrective measures.

### **Fair Housing**

According to Federal requirements under the Community Development Block Grant Program, entitlement communities are required to complete an analysis of impediments to fair housing choice and develop a Fair Housing Plan from the data presented in the Analysis of Impediments. The City, upon completion of an analysis will apply strategies in the areas of Rental Housing, Home Purchase, Public Policy and Provision of Services.

## **Certifications**

In accordance with the applicable statutes and the regulations governing the Consolidated Plan regulations, the jurisdiction certifies that:

### **Affirmatively Further Fair Housing**

The Jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of an impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

### **Anti-Displacement and Relocation Plan**

It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance Act and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG Programs.

### **Drug Free Workplace**

It will or continue to provide a drug-free workplace by:

1. publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about:
  - a. The dangers of drug abuse in the workplace;
  - b. The grantee's policy of maintaining a drug-free workplace;
  - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
  - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will:
  - a. abide by the terms of the statement; and
  - b. notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction;
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted:
  - a. Taking appropriate personnel action against such an employee, up to an including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1,2,3,4,5 and 6.

**Anti-Lobbying**

To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any persons for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

**Authority of Jurisdiction**

The Consolidated Plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

**Consistency with the Plan**

The housing activities to be undertaken with CDBG funds are consistent with the strategic plan.

**Section 3**

The Jurisdiction will comply with Section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

Chief Administrative Official

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**Name**

---

**Title**

---

**Signature**

---

**Date**

## Specific CDBG Certifications

The Entitlement Community certifies that:

**Citizen Participation-** The jurisdiction is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105. (See certification for Citizen Participation)

**Community Development Plan-** The jurisdiction's consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, a suitable living environment and expand economic opportunities primarily for persons of low and moderate income. (See CFR 24 570.2 and CFR 24 part 570)

### Use of Funds

The jurisdiction has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low and moderate income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available;
2. Overall Benefit. The aggregate use of CDBG funds including section 108 guaranteed loans during the program years 2004-2008 shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;
3. Special Assessments. The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.  
However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.  
The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

**Excessive Force-** The jurisdiction has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

**Compliance with Anti-Discrimination Laws-** The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

**Lead-Based Paint-** The jurisdictions activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, subparts A, B, J, K, and R.

**Compliance with Laws-** The jurisdiction will comply with applicable laws.

Chief Administrative Official

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**Name**

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**Title**

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Signature

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Date

### Citizen Participation Assurances and Certification

The applicant assures and certifies that it has provided its citizens adequate opportunities to participate in the development of this proposal by:

- Holding at least two public hearings, one of which a public hearing in the locality prior to the submission of the proposal; and the second held at least 7 days after the first. Participation by low-and moderate-income residents and stakeholders in the project or service area and the community at large were encouraged to attend. The hearings were held at times and locations convenient to potential beneficiaries and with accommodation for the disabled.

date of public input meetings: 3/29, 3/30 AND 4/4, 4/7

- Publishing a notice to advertise the public input meetings and availability of proposal information at least 7 days prior to the dates of the hearings in the non-legal section of a NEWSPAPER of local general circulation and AT LEAST ONE OTHER TYPE OF ANNOUNCEMENT.

The advertisements for Input meetings ran on:

\_\_\_\_\_AND \_\_\_\_\_

in: \_\_\_\_\_AND \_\_\_\_\_

The advertisements for City Council Public Hearing ran on:

\_\_\_\_\_AND \_\_\_\_\_

in: \_\_\_\_\_AND \_\_\_\_\_

- Maintaining files that contain documentary evidence that the hearings were held. These files must contain proof of publication of the hearing notices, written and/or recorded minutes of the input meetings, and lists of citizens attending the hearings.
- Making program and proposal documentation available to the public for comment during regular office hours. This documentation should include the range of proposed activities, the estimated amounts of funding which will benefit low- and moderate-income persons, the plans to minimize displacement and provide displacement assistance where applicable, and a summary of the proposed application.
- Providing technical assistance to groups representative of persons of low- and moderate-income that requests such assistance in developing proposals for the use of funds, with the level and type of assistance determined by the locality.
- Adherence to the City's adopted Grievance Procedure.
- Accommodating the needs of non-English speaking residents at public hearings where more than 5% of the attendees can be reasonably expected not to speak English.

Chief Administrative Official

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

NOTE: This Statement of Certification does not exhaust the requirements described in the Citizen Participation Plan, but rather is an indication of compliance.

## **Appendix**

### **A. Description of Current Programs**

#### *Administration and Operations*

Administration and Operations activities include program development, sub-recipient supervision for compliance with all HUD regulations, citizen participation and any other special activities considered community related. The Administrative fund supports the salary of Community Development Staff, as well as supplies and other costs associated with meeting the requirements of the Entitlement Program.

#### *Housing Repair Program*

The Housing Repair Program is a no-interest deferred loan program targeted to low- and moderate income residents living in housing that requires repair. Rental as well as owner occupied properties are eligible, provided the occupant is low or moderate income and will occupy the property for at least one year upon completion of work. Loans will not exceed \$5,000 and will be administered by an approved sub-recipient.

The purpose of the program is to improve the conditions of housing stock in the City.

#### *Affordable Housing Rehabilitation*

Affordable Housing Rehabilitation includes the rehabilitation of substandard housing for homeownership. Housing organizations with the capacity to purchase rehabilitate and resell at prices affordable to moderate income residents may apply for funding assistance with their project.

The purpose of the program is to increase the availability of safe, decent, affordable housing in the City.

#### *Affordable Housing Construction*

Affordable housing construction includes the construction of new housing available for homeownership and other costs associated such as acquisition of property, demolition, construction and necessary infrastructure costs.

The purpose of the program is to increase the availability of homeownership opportunities to low- and moderate-income residents.

#### *Neighborhood Revitalization and Infrastructure/ Public Facilities Improvement*

Activities include those improvements necessary to make an above project successful, or to encourage the stabilization of an existing neighborhood, street or block. Eligible activities would include street and sidewalk improvements, streetlight installation, landscaping and other infrastructure improvements such as water and sewer connection fees, etc.

The purpose of the program is to allow affordable housing to exist in neighborhoods that are safe and comfortable for the residents who live there.

#### *Homeless Continuum of Care- Shelter Plus Care, Supportive Housing Program*

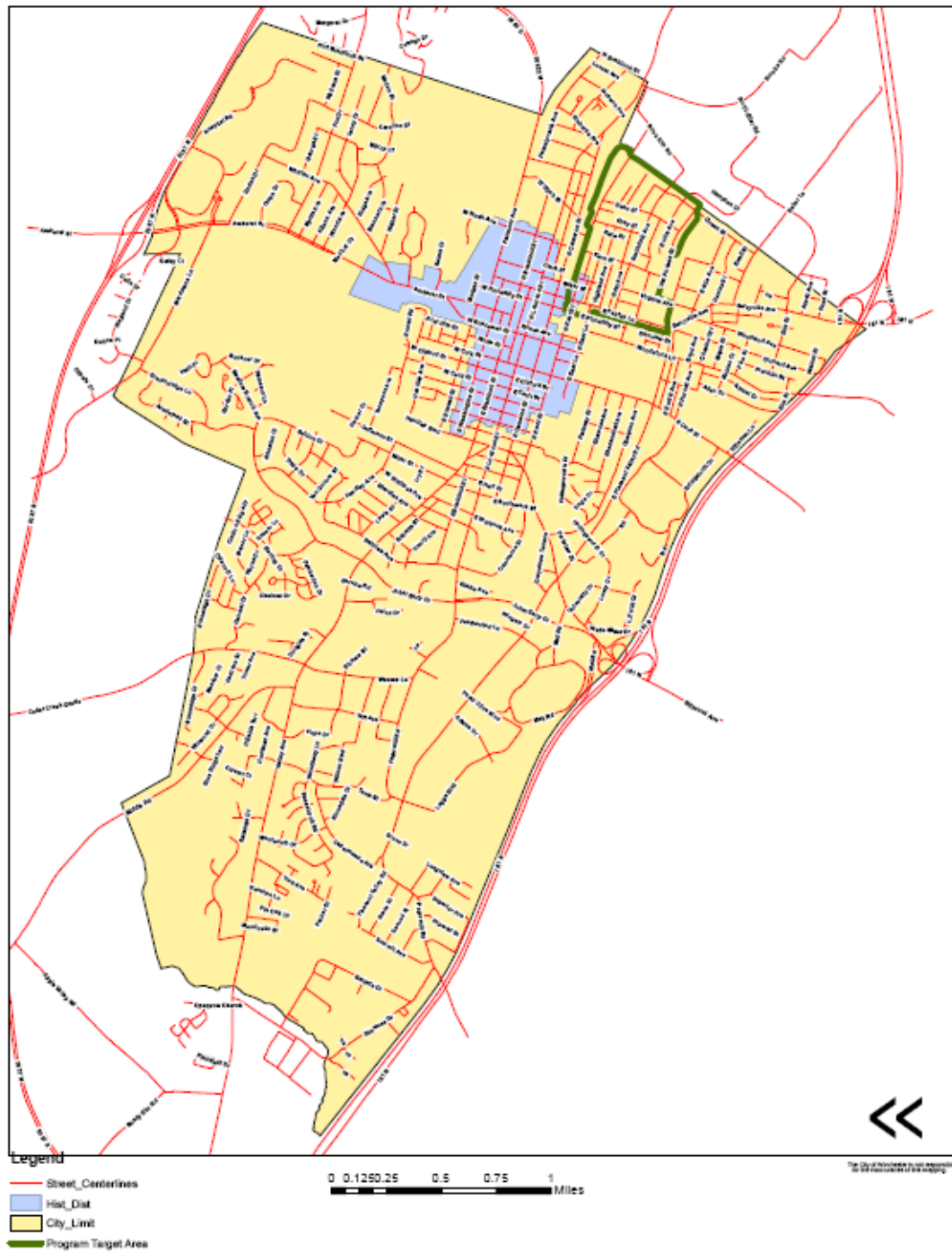
The Homeless Continuum of Care includes the spectrum of services available to individuals and families who have been are or may be at risk of homelessness.

The purpose of the program is to assist such families in the promotion of self-sufficiency and success.

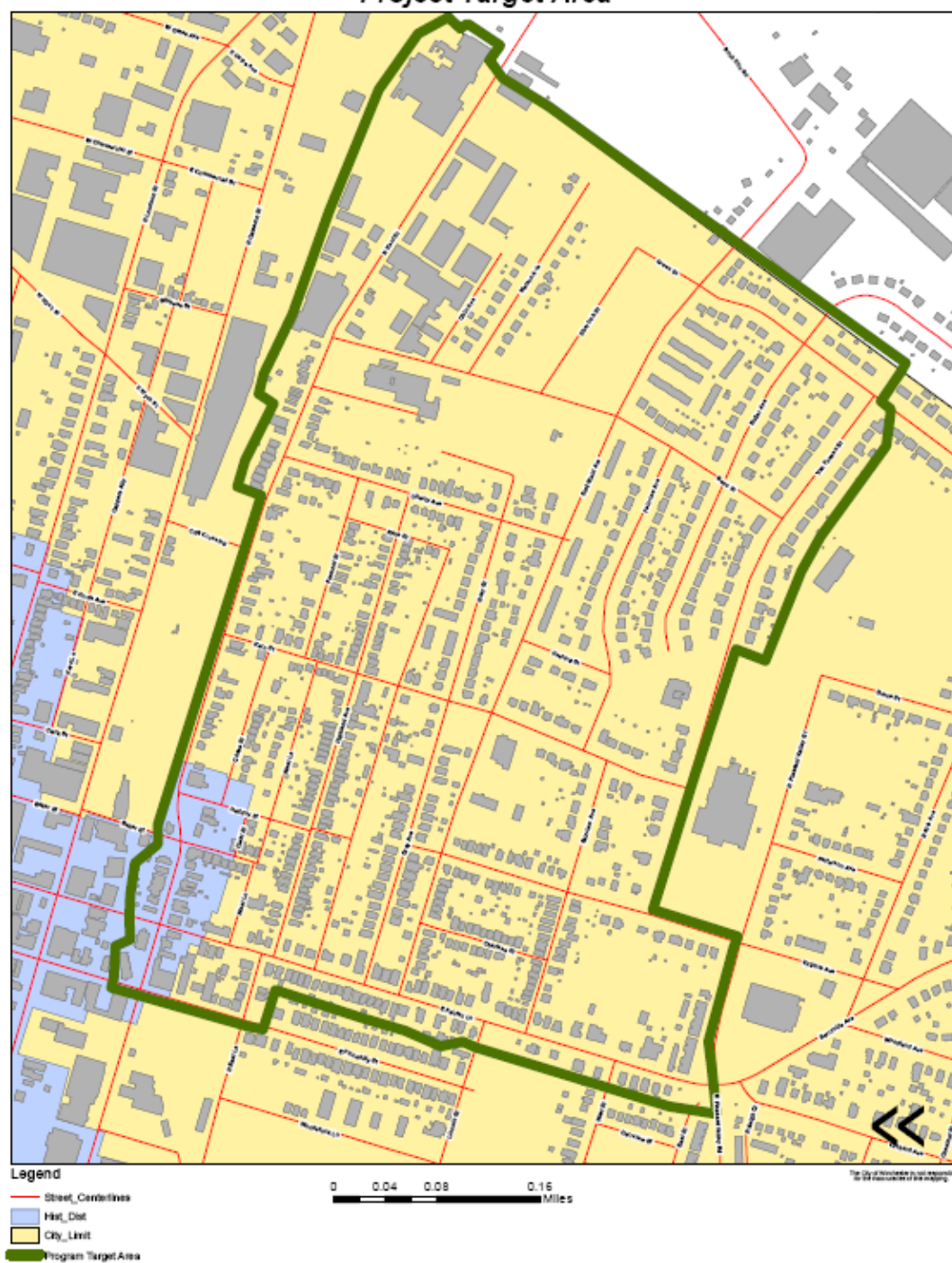


## B. Additional Maps

### The City of Winchester



# The City of Winchester Project Target Area





## C. Glossary

**Affordable Housing:** Federally defined as housing where the occupant is paying no more than thirty percent (30%) of gross income for gross housing costs including utility costs.

**Assisted Household or Person:** For the purpose of identification of goals; one which during the period covered by the Annual Plan will receive benefits through the Federal funds, either alone or in conjunction with the investment of other public or private funds. The program funds providing the benefit(s) may be from any funding year or combined funding years. A renter is benefited if the person takes occupancy of affordable housing that is newly acquired, newly rehabilitated, or newly constructed, and/or receives rental assistance through new budget authority. An existing homeowner is benefited during the year if the home's rehabilitation is complete. A first-time homebuyer is benefited if a home is purchased during the year. A homeless person is benefited during the year if the person becomes an occupant of transitional or permanent housing. a non-homeless person with special needs is considered benefited, however, only if the provision of supportive service is linked to the acquisition, rehabilitation, or new construction of housing unit and/or the provision of rental assistance during the year. Household or persons who will benefit from more than one program activity must be counted only once. To be included in the goals, the housing unit must, at a minimum, satisfy the HUD Section 8 Housing Quality Standards (see 24 CFR section 882.109).

**CDBG:** Community Development Block Grant

**CHAS:** Comprehensive Housing Affordability Strategy

**CHDO:** Community Housing Development Organization

**CIP:** Capital Improvements Program

**Committed:** Generally means there has been a legally binding commitment of funds to a specific project to undertake specific activities.

**Cost Burden > 50% (Severe Cost Burden):** The extent to which gross housing costs, including utility costs, exceed 50% of gross income, based on data published by the U.S. Census Bureau.

**FEMA:** Federal Emergency Management Agency

**Extremely Low Income:** Households whose incomes do not exceed 30% of the median for the area.

**Family:** As defined by the Census Bureau, a householder (head of household) and one or more other persons living in the same household who are related by birth, marriage or adoption.

**First Time Homebuyer:** An individual or family who has not owned a home during the three-year period preceding the HUD-assisted purchase of a home that must be used as

the principal residence of the homebuyer, except that any individual who is a displaced homemaker (as defined in 24 CFR 92) or a single parent (as defined in 24 CFR 92) may not be excluded from consideration as a first-time homebuyer on the basis that the individual, while a homemaker or married, owned a home with his or her spouse or resided in a home owned by the spouse.

**Frail Elderly:** An elderly person who is unable to perform at least 3 activities of daily living (i.e., eating, dressing, bathing, grooming, and household management activities). (See 24 CFR 889-105).

**HUD:** U.S. Department of Housing and Urban Development

**Low Income:** Households whose incomes do not exceed 50% of the Median Income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 50% of the median for an area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes. **NOTE:** HUD income limits are updated annually and are available from local HUD offices.

**Median Family Income:** The income where half the families in an area had incomes above that figure and half below. This figure changes by family size.

**Moderate Income:** Households whose incomes are between 50% and 80% of the median income for the area, as determined by HUD, with adjustments for smaller or larger families, except that HUD may establish income ceilings higher or lower than 80% of the median for the area on the basis of HUD's findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low family incomes.

**NOFA:** Notice of Funding Availability

**Occupied Housing Unit:** A housing unit that is the usual place of residence of the occupant(s).

**Substandard Condition and Not Suitable for Rehab:** By local definition, dwelling units that are in such poor condition as to be neither structurally nor financially feasible for rehabilitation.

**Substandard Condition and Suitable for Rehab:** By local definition, dwelling units that do not meet standard conditions but are both financially and structurally feasible for rehabilitation. This does not include units that require only cosmetic work, correction or minor livability problems or maintenance work.

**TANF:** Temporary Assistance to Needy Families.

**Very Low Income:** Households whose income does not exceed 30% of the median for the area.